

streamer bearing the words "Why Suffer With a Cold Locks Medicines," and framed printed matter headed "Eucalyptus, A Distillate of the fresh leaves" and "Cold, Common."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling accompanying the product were false and misleading since they represented and suggested that it would be effective for colds, fermentative dyspepsia, intestinal parasites, and other affections of the alimentary tract, for infections of the air passages, as in common cold or influenza, and for remedying conditions resulting in foul sputum; and that, when mixed with olive oil, it would be effective in the treatment of rheumatism. The article would not be effective for such purposes.

DISPOSITION: January 7, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1733. Misbranding of Laken's 9 Drops Capsules and Liquid. U. S. v. 20 Boxes of Laken's 9 Drops Capsules, 33 Combination Packages of Laken's 9 Drops Capsules and Liquid, and 1 display card. Default decree of condemnation and destruction. (F. D. C. No. 18204. Sample Nos. 4864-H, 4865-H.)

LABEL FILED: On or about October 31, 1945, District of New Jersey.

ALLEGED SHIPMENT: From Philadelphia, Pa. The products were shipped by David H. Blank & Co. on or about August 29 and September 27, 1945, and the placard was shipped on or about August 29, 1945, by Harry Laken, owner of the Marshall Drug Co., Philadelphia, Pa., and manufacturer of the product.

PRODUCT: 20 boxes of *Laken's 9 Drops Capsules* and 33 combination packages of *Laken's 9 Drops Capsules and Liquid* at Camden, N. J., together with 1 display card entitled "Why Suffer with Rheumatic Pains, Get that New Discovery Laken's 9 Drops To-Day." A circular entitled "Laken's 9 Drops What It Is" was enclosed in some of the packages of the products, and a circular entitled "Facts Everyone Should Know About" was enclosed in other packages.

Examination disclosed that the capsules consisted essentially of 3½ grains of aspirin, 2.6 grains of acetophenetidin, and 1 grain of caffeine citrate per capsule; and that the liquid consisted essentially of sodium salicylate, potassium iodide, water, and a trace of an alkaloid.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars and on the display card, and the design of a man in pain appearing in the circular entitled "Facts Everyone Should Know About," were false and misleading since they represented and suggested that the articles, alone or in combination, would be effective in the treatment of rheumatism, lumbago, arthritis, stiff and swollen joints, backache, and neuritis; that they would be effective as an analgesic and uric acid solvent; that they would be effective to get at the main cause of so-called rheumatism; that they would be effective in the treatment of the suffering and discomfort associated with common colds and in the treatment of sciatica; and that they would be effective to activate the kidneys and eliminate uric acid poison. The articles, alone or in combination, would not be effective for those purposes.

DISPOSITION: March 1, 1946. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

1734. Misbranding of Laken's 9 Drops Capsules and Liquid. U. S. v. 22 Combination Packages of Laken's 9 Drops Capsules and Liquid (and 1 seizure action against another lot of the same products). Default decrees of condemnation and destruction. (F. D. C. Nos. 18417, 18430. Sample Nos. 4771-H, 4888-H.)

LABELS FILED: On or about November 27 and December 4, 1945, District of New Jersey.

ALLEGED SHIPMENT: On or about September 5 and October 26, 1945, by the Marshall Drug Co., from Philadelphia, Pa.

PRODUCT: 22 combination packages of *Laken's 9 Drops Capsules and Liquid* at Paulsboro, N. J.; and 21 combination packages of the same products, together with 6 packages of *Laken's 9 Drops Capsules*, at Camden, N. J.

Examination showed that the capsules consisted essentially of aspirin, acetophenetidin, and caffeine; and that the liquid consisted essentially of sodium salicylate, potassium iodide, water, and a trace of an alkaloid.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements and the design of a man in pain appearing in the circular entitled "Facts Everyone Should Know About," enclosed in the combination packages of the articles, were false and misleading since they represented and suggested that the articles would be effective in the treatment of rheumatism, arthritis, backache, swollen joints, lumbago, neuritis, rheumatic pains, and stiff joints; that they would be effective as an analgesic to get at the main cause of so-called rheumatism; and that they would be effective in the treatment of the suffering and discomfort associated with common colds. The articles would not be effective for those purposes.

DISPOSITION: March 1, 1946. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

1735. Misbranding of Laken's 9 Drops Capsules and Liquid. U. S. v. 32 Packages of Laken's 9 Drops Capsules and Liquid. Default decree of condemnation and destruction. (F. D. C. No. 18632. Sample No. 4889-H.)

LABEL FILED: On or about December 11, 1945, District of New Jersey.

ALLEGED SHIPMENT: On or about October 29, 1945, by Smith, Kline and French, Inc., from Philadelphia, Pa.

PRODUCT: 32 packages of *Laken's 9 Drops Capsules and Liquid* at Haddon Heights, N. J. The composition of these products was identical with, and they were misbranded in the same respect as, the products reported in the preceding notice of judgment, No. 1734.

DISPOSITION: March 1, 1946. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

1736. Misbranding of Frencos's Pap-Tabs, Papaya Tooth Powder, and Papain Powdered Absolute. U. S. v. 127 Cartons of Frencos's Pap-Tabs, 285 Cartons of Frencos's Papaya Tooth Powder, and 23 Cartons of Frencos's Papain Powdered Absolute. Default decrees of condemnation and destruction. (F. D. C. Nos. 17653, 17654. Sample Nos. 29949-H to 29951-H, incl.)

LABELS FILED: October 15 and 17, 1945, Northern District of California.

ALLEGED SHIPMENT: Between the approximate dates of March 23 and August 13, 1945, by the Frenco Laboratories, from Nogales, Ariz.

PRODUCT: 127 cartons of *Frencos's Pap-Tabs* and 285 cartons of *Frencos's Papaya Tooth Powder* at Oakland, Calif.; and 23 cartons of *Frencos's Papain Powdered Absolute* at San Francisco, Calif.

Analyses disclosed that the *Pap-Tabs* consisted essentially of bismuth, calcium, and magnesium compounds, including carbonates, papain, and starch; that the *tooth powder* consisted essentially of sodium, calcium, and magnesium carbonates and chlorides, papain, starch, and soap; and that the *Papain Powdered Absolute* consisted essentially of papain.

NATURE OF CHARGE: *Pap-Tabs*, misbranding, Section 502 (a), the label statement, "Contains * * * Calcium, Magnesium, Kaolin, Bismuth," was false and misleading since the article contained no kaolin, and it did not contain calcium, magnesium, and bismuth as such but contained compounds of those minerals. In addition, certain statements in the circulars entitled "Frenco Laboratories of Nogales" and "Frenco Pap-Tabs," which were shipped with the article, were false and misleading since they represented and suggested that the article would be effective as a digestant; and that it would be effective in the treatment of digestive disorders, sea-, air-, car-, and train-sickness, and alcoholism. The article would not be effective for such purposes. Further misbranding, Section 502 (e) (2), the article failed to bear the common, or usual name of each active ingredient.

Tooth powder, misbranding, Section 502 (a), certain statements on the carton and in the circular entitled "Frenco Laboratories of Nogales" were false and misleading since they represented and suggested that the article would be effective in digesting foreign materials present in the mouth; and that it would be effective in the treatment of pyorrhea and sore gums. The article would not be effective for such purposes.

Papain Powdered Absolute, misbranding, Section 502 (a), the following statements on the carton containing the article were false and misleading since papain is not capable of accomplishing the results stated and implied, and it is not a rich source of protein and vitamins: "Papain is a food that